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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Kim Toll

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EXAMINER

BARNES, CRYSTAL J

ART UNIT

PAPER NUMBER

2121

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/754,556	Applicant(s) TOLL ET AL.	
	Examiner Crystal J. Barnes	Art Unit 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-17 and 19-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-17 and 19-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No: _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a Final Office Action in response to the Amendment received on 8 March 2006. Claims 7 and 18 have been cancelled. Claims 1, 5, 6, 12, 16, 17, 23-29 and 31-33 have been amended. Claims 1-6, 8-17 and 19-33 remain pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-6, 8-17 and 19-33 remain rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,310,889 B1 to Parsons et al.

As per claim 1, the Parsons et al. reference discloses a method comprising:
storing a user profile (see column 5 lines 35-40, "personal agent") for each of a

plurality of users ("user" and see column 4 lines 28-34, "clients 40") of a second processor-based system (see figure 3 and column 3 lines 39-44 and column 9 lines 33-40, "region server 24, remote host 32b") on a first processor-based system (see figure 3 and column 3 lines 39-41 and column 9 lines 32-33, "home host 32a"), the user profile ("personal agent") comprising a user environment (see column 5 lines 35-40, "user preferences"); dynamically updating (see column 9 lines 45-53, "transferred, updates") the user profile ("personal agent") based on user activity (see column 9 lines 45-53, "user's activities") on the second processor-based system ("remote host 32b"); and automatically creating a version (see column 9 lines 37-40, "replicated") of the profile (see column 9 lines 60-62, "replicated personal agent 80r") for use on the second processor-based system ("remote host 32b, client 40").

As per claim 2, the Parsons et al. reference discloses automatically creating a version of the profile ("replicated personal agent 80r") in response to the user logging on (see column 5 lines 20-23, "inputting a user ID and password") to the first processor-based system (see column 9 lines 57-65, "home host 32a").

As per claim 3, the Parsons et al. reference discloses automatically creating a version of the profile ("replicated personal agent 80r") for use on a portable processor-based system (see column 4 lines 29-34, "clients 40").

As per claim 4, the Parsons et al. reference discloses automatically compiling a version of a user profile ("replicated personal agent 80r") for a web browser session (see column 4 lines 60-65, "WEB browser") and storing said profile (see column 10 lines 5-14, "updates transmitted to master personal agent 80") at the end of said web browser session ("network connection").

As per claim 5, the Parsons et al. reference discloses receiving an updated user profile (see column 10 lines 25-28, "master personal agent 80 can be updated") from the second processor-based system ("remote host 32b, client 40"), the updated user profile ("master personal agent 80 can be updated") being based on at least one of user selected parameters and user actions ("user's activities") on the second processor-based system ("remote host 32b, client 40").

As per claim 6, the Parsons et al. reference discloses a method comprising: storing a profile (see column 9 lines 37-40, "replicated personal agent 80r") for a current user of a second processor-based system ("remote host 32b"), the profile ("personal agent") comprising a user environment (see column 5 lines 35-40, "user

preferences") and being stored on the first processor-based system (see figure 3 and column 3 lines 39-41 and column 9 lines 32-33, "home host 32a"); updating said profile (see column 10 lines 5-14, "updates transmitted to master personal agent 80") based on the current user's activities (see column 10 lines 3-5, "reading, replying, deleting and creating various messages") on the second processor-based system ("remote host 32b, client 40"); and automatically forwarding the updated profile ("updates transmitted") to a first processor-based system ("home host 32a"); and automatically forwarding ("updates transmitted") the profile ("any changes") from the second processor-based system ("remote host 32b, client 40") to the first processor-based system ("home host 32a") before powering down ("network connection") the second processor-based system ("remote host 32b, client 40").

As per claim 8, the rejection of claim 4 is incorporated and further claim 8 contains limitations recited in claim 4; therefore claim 8 is rejected under the same rationale as claim 4.

As per claim 9, the rejection of claim 1 is incorporated and further claim 9 contains limitations recited in claim 1; therefore claim 9 is rejected under the same rationale as claim 1.

As per claim 10, the rejection of claim 2 is incorporated and further claim 10 contains limitations recited in claim 2; therefore claim 10 is rejected under the same rationale as claim 2.

As per claim 11, the rejection of claim 6 is incorporated and further claim 11 contains limitations recited in claim 6; therefore claim 11 is rejected under the same rationale as claim 6.

As per claim 12, the rejection of claim 1 is incorporated and further claim 12 contains limitations recited in claim 1; therefore claim 12 is rejected under the same rationale as claim 1.

As per claim 13, the rejection of claim 2 is incorporated and further claim 13 contains limitations recited in claim 2; therefore claim 13 is rejected under the same rationale as claim 2.

As per claim 14, the rejection of claims 2 and 4 are incorporated and further claim 14 contains limitations recited in claims 2 and 4; therefore claim 14 are rejected under the same rationale as claims 2 and 4.

As per claim 15, the rejection of claim 4 is incorporated and further claim 15 contains limitations recited in claim 4; therefore claim 15 is rejected under the same rationale as claim 4.

As per claim 16, the rejection of claim 5 is incorporated and further claim 16 contains limitations recited in claim 5; therefore claim 16 is rejected under the same rationale as claim 5.

As per claim 17, the rejection of claim 6 is incorporated and further claim 17 contains limitations recited in claim 6; therefore claim 17 is rejected under the same rationale as claim 6.

As per claim 19, the rejection of claim 8 is incorporated and further claim 19 contains limitations recited in claim 8; therefore claim 19 is rejected under the same rationale as claim 8.

As per claim 20, the rejection of claim 9 is incorporated and further claim 20 contains limitations recited in claim 9; therefore claim 20 is rejected under the same rationale as claim 9.

As per claim 21, the rejection of claim 10 is incorporated and further claim 21 contains limitations recited in claim 10; therefore claim 21 is rejected under the same rationale as claim 10.

As per claim 22, the rejection of claim 11 is incorporated and further claim 22 contains limitations recited in claim 11; therefore claim 22 is rejected under the same rationale as claim 11.

As per claim 23, the Parsons et al. reference discloses a system comprising: a host processor (see column 3 lines 29-31 and 39-41, "region manager 22, region server 24, host 32"); and a storage (see column 4 lines 35-45, "database engine 38") coupled to the host processor ("region manager 22, region server 24, host 32"), the storage ("database engine 38") storing instructions ("agents") that enable the host processor ("region manager 22, region server 24, host 32") to store a web browser profile (see column 4 lines 60-65, "WEB browser") for each of a plurality of users (see column 4 lines 29-34, "clients 40") of the system and automatically provide the web browser profile ("WEB browser") for a user to a portable processor-based system (see column 9 lines 37-40, "client 40"), the host processor ("region manager 22, region server 24, host 32") to dynamically update the stored profile ("WEB browser") based on user activity (see column 9 lines 45-53, "user's activities") on the portable processor-based system ("client 40").

As per claim 24, the Parsons et al. reference discloses a wireless interface (see column 3 lines 39-44, "wireless services") to communicate with the portable processor-based system (see column 4 lines 46-49, "client 40").

As per claim 25, the Parsons et al. reference discloses a system comprising: a portable processor-based system (see column 4 lines 28-34, "clients 40"); and a

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storage (see column 4 lines 35-45, "database engine 38") coupled to the portable processor-based system ("clients 40"), the storage ("database engine 38") storing instructions ("agents") that enable the processor-based system (see column 4 lines 28-34, "clients 40") to store a web browser profile (see column 4 lines 60-65, "WEB browser") for the current user of system; update the profile (see column 10 lines 5-14, "updates transmitted to master personal agent 80") based on the current user's activities (see column 10 lines 3-5, "reading, replying, deleting and creating various messages") on the system; and automatically forward the updated profile ("updates transmitted") to a host processor ("home host 32a").

As per claim 26, the Parsons et al. reference discloses said portable processor-based system ("clients 40") is a battery-powered system (see column 4 lines 28-37, "cellular or PCS handsets, pagers, PDAs").

As per claim 27, the Parsons et al. reference discloses said system communicates with the host processor ("home host 32a") using a wireless interface (see column 3 lines 39-44, "wireless services").

As per claim 28, the Parsons et al. reference discloses said storage ("database engine 38") stores instructions ("agents") that enable the portable processor ("clients 40") to automatically compile a web browser profile ("WEB

browser") based on activities of the user ("reading, replying, deleting and creating various messages") on the system.

As per claim 29, the Parsons et al. reference discloses said storage ("database engine 38") stores instructions ("agents") that enable the portable processor ("clients 40") to automatically transmit ("updates transmitted") said web browser profile ("any changes") to the host processor-based system ("home host 32a") in response to a command to power down ("network connection") the portable processor ("client 40").

As per claim 30, the Parsons et al. reference discloses the portable processor-based system ("clients 40") runs a set of applications (see column 4 lines 60-65, "digital voice telephone, analog voice telephone, WEB browser") not present on the first processor-based system ("home host 32a").

As per claim 31, the Parsons et al. reference discloses further comprising, a plurality of manually selectable user identification input components (see column 4 lines 53-62, "clients 40") coupled to the portable processor-based system ("region server 24, remote host 32b") to select a user profile (see column 6 lines 51-53, "user profile") for recall upon power on ("completed connection") of the portable processor-based system ("region server 24, remote host 32b").

As per claim 32, the rejection of claim 31 is incorporated and further claim 32 contains limitations recited in claim 31; therefore claim 32 is rejected under the same rationale as claim 31.

As per claim 33, the rejection of claim 31 is incorporated and further claim 33 contains limitations recited in claim 31; therefore claim 33 is rejected under the same rationale as claim 31.

Response to Arguments

4. Applicant's arguments, see Remarks, filed 8 March 2006 have been fully considered but they are not persuasive.

In response to applicants arguments that Parsons et al. do not teach a system where user profiles are copied, stored or updated between a portable processor and a host processor; Parsons et al. discloses a user can connect to remote region 18b and the region manager in region 18b locates the master personal agent 80 for the user in region 18a, the user's home region. A replicated personal agent 80r for the user is transferred to region 18b from region 18a and is employed to verify the identity of the user. At this point, depending upon the activities of the user, a variety of transfers can occur between the persistent

cache in database engine 38b of region 18b and master personal agent 80. (See column 9 lines 57-65.) Network 14 comprises one or more regions 18, each of which comprises a region manager 22 and one or more region servers 24. Each region manager 22 is connected to each region server 24 in its region 18 and each region server 24 is connected to other region servers 24, both those in its region 18 and those in other regions 18, by, a communications backbone 28, which can be any suitable communications link, such as T3 lines, high bandwidth fiber optic links, satellite links, etc. or any combination of suitable links. (See column 3 lines 29-38.) Each region server 24 includes a suitable communications host 32 for communications backbone 28 and a plurality of bridges 36 to which clients 40 of network 14 can be connected by dedicated telecommunications lines, dial-up access, wireless services, a public packet network such as the internet, or any other suitable means. (See column 3 lines 39-44.)

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to synchronizing client/server applications in general:

USPN 6,810,323 B1 to Bullock et al.

USPN 6,714,992 B1 to Kanojia et al.

USPN 6,584,505 B1 to Howard et al.

USPN 6,389,469 B1 to Vekslar et al.

US Pub. No. 2005/0005242 A1 to Hoyle

US Pub. No. 2003/0200146 A1 to Levin et al.

US Pub. No. 2003/0009379 A1 to Narasimhan et al.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CJB
11 May 2006